

RECORDING REQUESTED BY:

County of San Luis Obispo

AND WHEN RECORDED MAIL TO:

County Clerk
County of San Luis Obispo
County Government Center
San Luis Obispo, CA 93408

Assessor's Parcel Numbers: 013-021-012 & 013-021-011(Portion)

AMENDMENT NO. 1 TO LAND CONSERVATION CONTRACT

THIS AMENDMENT No. 1 is made and entered into this _____day of _____20_____, by and between CLAYTON ANDREW POTEETE and MARISOL POTEETE, hereinafter referred to as "Owner", and the COUNTY OF SAN LUIS OBISPO, a political subdivision of the State of California, hereinafter referred to as "County".

WITNESSETH:

WHEREAS, on January 28, 1992, the Board of Supervisors duly adopted Resolution No. 92-69 whereby it duly established an agricultural preserve in the County of San Luis Obispo entitled "San Simeon Agricultural Preserve No. 9"; and

WHEREAS, on February 25, 1992, Owner or his predecessor in interest entered into a Land Conservation Contract with the County for the real property included within said agricultural preserve, which said Land Conservation Contract (sometimes hereinafter referred to as the "Original Contract") was duly approved by the Board of Supervisors and recorded on February 26, 1992, as Document

No. 12273 in Book 3836, at Pages 926 through 942, inclusive, of the Official Records in the office of the County Recorder of the County of San Luis Obispo; and

WHEREAS, on December 2, 2014, the Board of Supervisors duly adopted Resolution No. 2014-335 expanding the real property included within said agricultural preserve as delineated in Exhibit A attached hereto and incorporated by reference herein as though set forth in full; and

WHEREAS, Owner desires to amend the Original Contract with County by adding the real property described in Exhibit B attached hereto and incorporated by reference herein as though set forth in full to the land already under contract under said Land Conservation Contract; and

WHEREAS, Owner has supplied County with a current title company Lot Book Guarantee or Preliminary Title Report listing all trust deed beneficiaries and mortgagees, if any, under prior recorded deeds of trust and mortgages on the real property to be added to the Original Contract; and

WHEREAS, the Board of Supervisors finds that the property subject to contract should be increased by adding thereto the real property which is described in Exhibit B in this Amendment No. 1, and that such addition of said real property is consistent with the County's General Plan, the California Land Conservation Act of 1965, and the Rules of Procedure to Implement the California Land Conservation Act of 1965 in San Luis Obispo County.

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions herein contained and the substantial public benefits to be derived therefrom, the parties hereto do hereby amend the Original Contract as follows:

1. Amend Exhibit A of the Original Contract to add thereto the real property situated in the County of San Luis Obispo, State of California, more particularly described in Exhibits B and C to this Amendment No. 1.

2. Except as amended herein, all provisions of the Original Contract as amended shall remain in full force and effect.

3. This amendment sets forth the full and entire understanding of the parties regarding the matter set forth herein, and any other prior or existing understandings or agreements by the parties, whether formal or informal, regarding any of said matters are hereby superseded or terminated in their entirety.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 as of the day and year first above written.

COUNTY OF SAN LUIS OBISPO

By: _____
Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: Bung 8
Deputy County Counsel

Dated: 1/27/15

OWNER

Clayton Andrew Poteete
CLAYTON ANDREW POTEETE

Marisol Poteete
MARISOL POTEETE

[NOTE: This Amendment will be recorded. All signatures to this agreement must be acknowledged by a notary.]

Poteete_AGP2013-00005_Ctr.wpd

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN LUIS OBISPO)

On _____, before me, _____, Deputy County Clerk-Recorder, County of San Luis Obispo, State of California, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

**TOMMY GONG, County Clerk-Recorder
and Ex-Officio Clerk of the Board of
Supervisors**

By: _____
Deputy County Clerk-Recorder

[SEAL]

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN LUIS OBISPO)

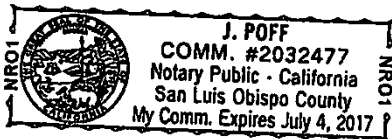
On Jan 23, 2015, before me, J. Poff,
a Notary Public, in and for the State of California, personally appeared
Clayton Andrew Poteete & Marisol Poteete,
who proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that
~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity(ies), and that by
~~his~~ ~~her~~ ~~their~~ signature(s) on the instrument the person(s) or the entity upon behalf of
which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 
Signature of Notary Public

[SEAL]



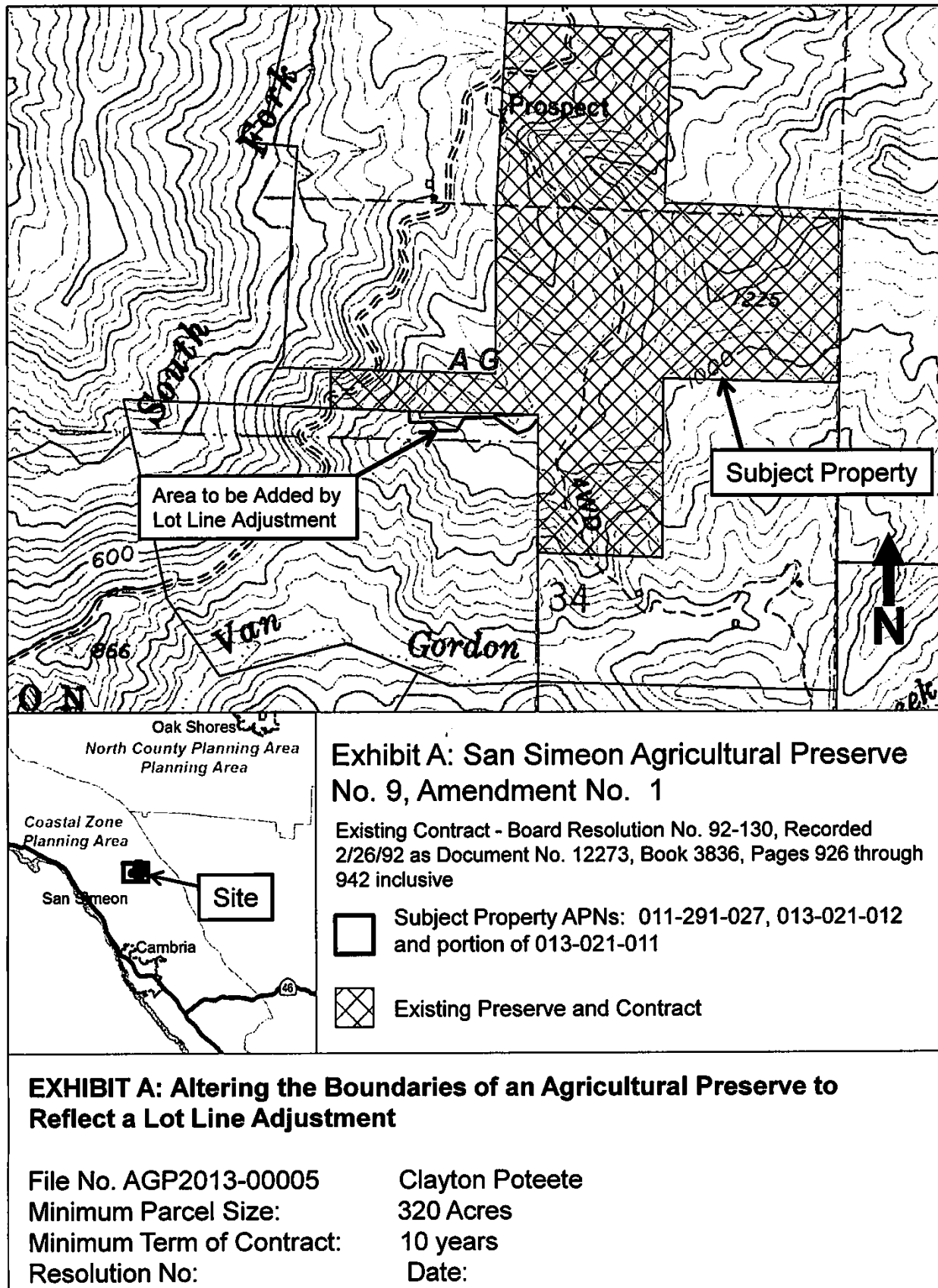


EXHIBIT B

Legal Description

Being a portion of the Rancho San Simeon, and portions of Sections 27 and 34 of Township 26 South, Range 8 East, Mount Diablo Meridian, in the County of San Luis Obispo, State of California, according to the official plat thereof, being a portion of that parcel of land described as Parcel 1 of COAL 94-126 in the Certificate of Compliance recorded April 28, 1997 as Document No. 1997-021115 together with a portion of Parcel 2 of said COAL 94-126 of Certificate of Compliance recorded April 28, 1997 as Document No. 1997-021116, in the office of the County Recorder of said County, described as follows:

Commencing at the northeast corner of said Parcel 2 described in Document No. 1997-021116, said corner being a 4"x5" post scribed "SS5" as shown on the survey recorded May 13, 1997, in Book 75 at page 48 of Records of Surveys, in the office of the County Recorder of said County;

Thence, along the easterly line of said Parcel 2 described in Document No. 1997-021116, South 00°05'33" East, 61.36 feet;

Thence, leaving said east line, South 51°42'32" West, 70.65 feet;

Thence, South 66°49'46" West, 118.16 feet;

Thence, North 63°22'35" West, 311.45 feet to the north line of said Parcel 2 described in Document No. 1997-021116, said point being the easterly terminus of that course shown as N 88°41'52" E 640.00' on said Record of Survey recorded in Book 75 at page 48;

Thence, along the said north line, South 88°41'52" West 172.32 feet;

Thence, leaving said northerly line, South 40°14'45" West 153.61 feet;

Thence, North 89°14'27" West, 125.00 feet;

Thence, North 32°29'36" West, 103.31 feet;

Thence, South 86°57'10" West, 59.20 feet;

Thence, South 88°35'12" West, 56.74 feet;

Thence, South 84° 38'46" West, 129.35 feet;

Thence, North 00°45'33" East, 76.31 feet, to the north line of said Parcel 2 described in Document No. 1997-021116;

Thence, South 89°13'55" East 1138.13', to the **Point of Commencement**.

Containing 2.15± acres.

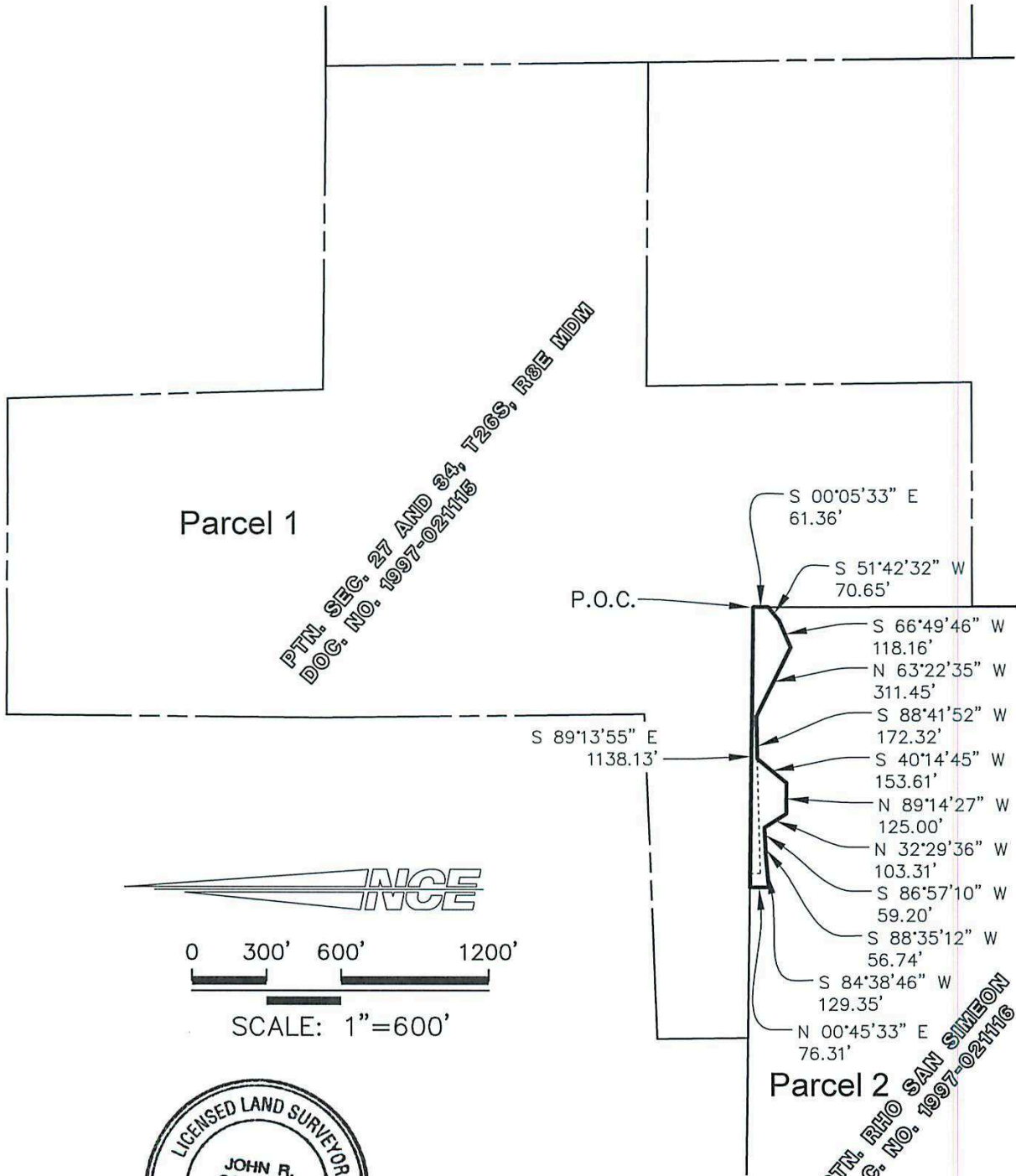
See attached Exhibit C, made a part hereof.


John R. Sanders Date

PLS 5812



EXHIBIT C



JOB NUMBER: 13013

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